43. A pharmaceutical composition according to claim 42 in dosage unit form.

44. A pharmaceutical composition according to claim 43 comprising 12 μg formoterol fumarate dihydrate, 200 μg budesonide and up to 25 mg lactose.

45. The method according to any one of claims 32, 36 and 37 wherein the administration is performed with a nebulizer.

46. A method according to any one of claims 32, 36 and 37 wherein the formoterol component and the budesonide component are administered simultaneously.

47. The method according to any one of claims 32, 36 and 37, wherein the physiologically acceptable salt of formoterol or the solvate thereof is administered in admixture with the budesonide.--

REMARKS

Claims 1, 2, 7, 14-18 and 20-28 are pending in the application. Claim 17 has been amended. New claims 29-47 have been added. No new matter has been introduced by the amendments to the pending claims or the newly added claims.

Applicants acknowledge the Examiner's statement for the record that claims 1, 2, 7, 14-16 and 24-26 are allowable in their present form. The Examiner has also acknowledged that Applicants are entitled to a broader

scope of claims wherein the recited ratio range is 1:1 to 1:60 rather than the presently recited 1:4 to 1:60. Rather than amending claims 1, 2 and 7 as suggested by the Examiner, Applicants have added new claims 30-32, corresponding, respectively, to 1, 2 and 7 and reciting the broader range indicated as allowable by the Examiner. New claims 33-46, reciting the broader range of ratios and serving as counterparts to claims 14-18 and 20-28, respectively, have also been added.

Finally, new claim 29, reciting the narrower range, and new claim 47, its counterpart reciting the broader range, have been added. Support for these claims can be found, for example, in the specification on page 7, lines 6-13.

Claims 17, 18, 20-23, 27 and 28 have been rejected under 35 U.S.C. § 103(a) for the reasons of record. The Examiner maintains that even though claim 17 recites limitations as to the daily weight dosages of active ingredients, it and claims dependent therefrom are not patentable because they do not recite the molar ratio range for which unexpected results have been demonstrated. While Applicants do not agree with the Examiner's assessment, in the interest of expediting prosecution of the application claim 17 has been amended so that it contains the limitation of a molar ratio of the two actives in the range of

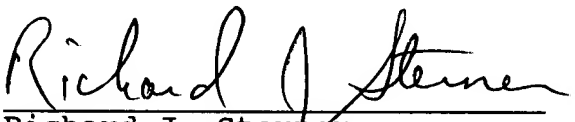
1:4 to 1:60. New claim 36, corresponding to amended claim 17, recites the broader ratio range of 1:1 to 1:60 which the Examiner has indicated as being allowable.

Claims 1, 2, 7, 14-16 and 24-26 have already been found allowable. Claim 17, and hence claims 18, 20-23, 27 and 28 dependent therefrom, have been amended in accordance with the Examiner's requirements. New claims 29-47 are fully supported either by the specification or, as the Examiner has acknowledged, by the declarative showing provided by Applicants or both. Reconsideration of the application and allowance of claims 1, 2, 7, 14-18 and 20-47 are respectfully requested. Should any other matters require attention prior to allowance of the application, it is requested that the Examiner contact the undersigned.

The Assistant Commissioner is hereby authorized to charge any fees due in connection with this response to Deposit Account No. 23-1703.

Dated: February 7, 1997

Respectfully submitted,



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